

REMARKS:

In the outstanding Office Action, claims 1-22 were rejected. Claims 3, 12, 14, 16, 20 and 22 have been amended, claims 1, 2, 5-11, 13, 15, 17-19 and 21 have been cancelled, and new claims 23 and 24 have been added. No new matter has been added.

Thus, claims 3, 4, 12, 14, 16, 20, 22-24 are pending and under consideration. The outstanding rejections are traversed below.

REJECTION UNDER 35 U.S.C. §102(e):

In the outstanding Office Action, claims 1-3, 5-10, 16-17 and 19-22 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,708,798 ('798).

'798 discusses a system for configuring systems based on component or resource requests or input in the form of a need where the input in the form of a need or a request is received as an expression of a need for a desktop computer system to be used in a computer-aided system (CAD) environment.

The present invention discloses a system and method for retrieving a desired commodity based on at least one object of use of the commodity displayed to allow a user to select the commodity based on the displayed object of use information of the commodity. That is, the present invention displays a use to which the commodity can be put.

The Examiner compares the '798 system for configuring systems using input of requests from a user to the present invention for retrieving a commodity based on the user's selection from displayed objects of use of commodities. In '798, input forms are provided for accepting component requests from a user where the user specifies the types and quantities of components in a system to be configured (see, column 25, line 66 through column 26, line 2 of '798). The user makes component requests using the input forms consisting of listboxes and pushbuttons to specify types and quantities of components to be configured (see, column 26, lines 1-8 of '798). The '798 system accepts the specified components input by the user and maps the same to define the components as parts and products in terms of required and optional constituent components (see, column 26, lines 16-21 of '798). This means that the '798 system requires the user to input an object of use or a need specifying the components needed to achieve the user's object of use and thus, to have knowledge of the capabilities of the components so that the '798 system defines other components as parts and products for setting up a system.

The present invention's commodity retrieval method and system provides respective object of use of commodities to allow a user without knowledge of the characteristics of the commodities to select therefrom. For example, the user can select the use "making a music CD" and need not know that a CD-RW drive is needed to make a music CD. As recited in amended claims 3, 16, 20 and 22, the method of the present invention includes displaying items for "a plurality of objects of use of commodities on a user's terminal" and "preparing a table indicative of correspondence between the objects of use and specifications required to attain the commodities". The objects of use or commodities usage information allow the present invention to retrieve commodities "based on the acquired specification as a retrieval condition" without requiring the user to specify a commodity that achieves the user's purpose. The '798 system does not teach or suggest establishing a relationship between commodities and "the object of use of commodities" or commodities usage information, instead requires that a user specify types of components for the configuration.

It is submitted that all the independent claims are patentable over '798 because each and every element as set forth in independent claims 3, 16, 20 and 22 are not found, either expressly or inherently described, in the '798 reference. Thus, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

In the outstanding Office Action, claims 4, 12-15 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over '798 in view of U.S. Patent No. 6,167,383 ('383).

'383 discusses enabling a custom configuration of a computer system according to an indication of a user belonging to a prescribed customer set using an online store.

The Examiner acknowledges that '798 does not disclose a method a commodity sale transaction via the Internet as disclosed in claim 4, thus relies on '383. In '383, a configurator is provided where a customer is enabled to select key system defining components from a display of available system options for a chosen system using an online store (see, column 2, lines 5-9 of '383). Similar to the '798 system, '383 discusses setting up a system based on user selected options from available system options provided to the user. For example, as shown in FIG. 3A of '383, a user is provided with selections regarding memory, hard drive, monitor, video card, etc. of a system according to which a computer system is set up.

In contrast, the present invention includes "receiving information of items for a plurality of objects of use of commodities from the server", where the items are displayed to allow a

selection of the objects of use by the user (see, amended independent claims 12 and 14 of the present invention). This allows for the retrieval of "a specification corresponding to the selected object of use" and displaying the same (see, amended independent claims 12 and 14 of the present invention). For example, when a user selects "desire to make music CD" as an object of use for a commodity, the specification related to the object of use is displayed to the user (see, FIG. 12 of the present invention).

For at least the above-mentioned reason, dependent claim 4 depending from independent claim 3 is patentably distinguishable over the combination of the '798. As recited in claim 4, the "Internet" is the network via which the commodity sales transaction is performed. The '798 system does not teach or suggest providing a user "a plurality of objects use of commodities" such that the user is able to view information of a commodity having the user's selected object of use.

The burden of establishing a prima facie case of obviousness based upon the prior art lies with the Examiner. In re Fritch, 23 U.S.P.Q. 2d 1780, 1783 (Fed. Cir. 1992). According to In re Fritch, the Examiner "... can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." The combination of '798 and '383 results in a system for configuring systems based on component or resource requests specifying components of a system to be configured from a user where the user custom configures the system via an online store.

It is submitted that the claims are patentably distinguishable over the combination of '798 and '383. Thus, withdrawal of the rejection is respectfully requested.

NEW CLAIMS:

New claims 23 and 24 have been added to further emphasize that the present invention provides a user "... selectable commodities usage information corresponding to commodities" and acquires "... a specification corresponding to at least one of the selectable commodities usage information selected by a user" where "each selectable commodities usage information corresponds with a respective specification information" (claim 24). The user is then provided with "data regarding a commodity having specifications corresponding to the selected commodities usage information on the terminal". This allows the user to conduct a commodity sale transaction based on "commodities usage information" corresponding to the commodities without requiring the user to specify the type or specifics of the commodity.

Accordingly, newly added claims 23 and 24 are patentably distinguishable from the cited reference.

CONCLUSION:

In accordance with the foregoing, claims 3, 12, 14, 16, 20 and 22 have been amended, and claims 1, 2, 5-11, 13, 15, 17-19 and 21 has been cancelled. New claims 23 and 24 have been added, thus claims 3, 4, 12, 14, 16, 20 and 22-24 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 7/19/4

By: 
J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501